



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant(s):** Timothy J. Barberich and James W. Young

**Serial No.:** 07/461,262

**Group Art Unit:** 125

**Filed:** January 5, 1990

**Examiner:** L. Schenkman

**For:** METHOD FOR TREATING ASTHMA USING OPTICALLY  
 PURE R(-) ALBUTEROL

91 SEP 30 11:10:56  
 RECEIVED  
 CIRCULAR 120

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being  
 deposited with the United States Postal Service as First  
 Class Mail in an envelope addressed to Honorable  
 Commissioner of Patents and Trademarks, Washington,

D.C. 20231, on 9/23/91.

Hamilton, Brook, Smith & Reynolds

The Honorable Commissioner of  
 Patents and Trademarks  
 Washington, D.C. 20231

B. J. Kennis  
 Signature

9/23/91  
 Date

**Sir:**

Transmitted herewith is a response in the above-identified  
 application.

☒ Small entity status of this application under 37 C.F.R. 1.9  
 and 1.27 has been established by a verified statement  
 previously submitted.

☐ A verified statement to establish small entity status under  
 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(Col. 1)

(Col. 2) (Col. 3)

SMALL ENTITY

OTHER THAN  
 SMALL ENTITY

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	* 10	MINUS	** 20	= 0
INDEP.	* 3	MINUS	*** 3	= 0
] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

RATE	ADDIT. FEE
x 10	\$ 0
x 30	\$ 0
+ 100	\$

OR

RATE	ADDIT. FEE
x 20	\$
x 60	\$
+200	\$

TOTAL =

\$ 0

\$

- ☐ Please charge my Deposit Account No. 08-0380 in the amount of \$\_\_\_\_\_.
- ☐ A check in the amount of \$\_\_\_\_\_ is attached.
- ☒ A separate Petition for Extension of Time is being filed concurrently herewith.
- ☒ Payment for the extension fee is included with the petition.
- ☐ Deposit Account No. 08-0380 is being charged for the extension fee.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-0380.
- ☒ Any filing fees under 37 C.F.R. 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.

Any extensions of time that are required to maintain this application in a pending status, if not included herewith, are hereby requested. The Commissioner is hereby authorized to charge such extension fees to Deposit Account No. 08-0380. Two copies of this transmittal letter are enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

*Richard W. Wagner*

By Richard W. Wagner  
Registration No. 34,480  
Agent for Applicant(s)  
(617) 861-6240

Dated: September 23, 1991